

MESSAGE NO: 2189206 MESSAGE DATE: 07/08/2002

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-501

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/1991 TO 01/31/1999

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NON-REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS FOR PAINT BRUSHES
FROM CHINA (A0570-501)

MESSAGE NO: 2189206

DATE: 07 08 2002

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 501

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PERIOD COVERED: 02 01 1991 TO 01 31 1999

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NON-REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS FOR PAINT
BRUSHES FROM CHINA (A0570-501)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF MANUFACTURERS/EXPORTERS SUBJECT TO ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, ADMINISTRATIVE REVIEWS OF SPECIFIC MANUFACTURERS/EXPORTERS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS OR SECTION 353.22 OF THE PRIOR COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR CERTAIN PERIODS ON NATURAL BRISTLE PAINT BRUSHES AND BRUSH HEADS FROM THE PEOPLES REPUBLIC OF CHINA (A-570-501), EXCEPT FOR THE FIRMS AND PERIODS NOTED BELOW. THEREFORE, IN ACCORDANCE WITH SECTION 351.212 OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM A WAREHOUSE, FOR CONSUMPTION DURING THE PERIODS BELOW AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

3. FOR PERIOD 02/01/1991 THROUGH 01/31/1992, LIQUIDATE ALL ENTRIES FOR ALL FIRMS.

4. FOR PERIOD 02/01/1994 THROUGH 01/31/1995, LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT HEBEI FOUNDER IMPORT AND EXPORT COMPANY (AKA HEBEI ANIMAL BY-PRODUCTS IMPORT AND EXPORT CORP.) (A-570-501-002).

5. FOR PERIOD 02/01/1995 THROUGH 01/31/1996, LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT HEBEI FOUNDER IMPORT AND EXPORT COMPANY (AKA HEBEI ANIMAL BY-PRODUCTS IMPORT AND EXPORT CORP.) (A-570-501-002).

6. FOR PERIOD 02/01/1996 THROUGH 01/31/1997, LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT HUNAN PROVINCIAL NATIVE PRODUCE AND ANIMAL BYPRODUCTS (A-570-501-003). ENTRIES OF MERCHANDISE EXPORTED BY HUNAN PROVINCIAL NATIVE PRODUCE AND ANIMAL BYPRODUCTS FOR THE PERIOD 02/01/1996 THROUGH 01/31/1997 WERE LIQUIDATED PURSUANT TO MESSAGE NUMBER 0307202 DATED 11/02/2000.

7. FOR PERIOD 02/01/1997 THROUGH 01/31/1998, LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT HEBEI FOUNDER IMPORT & EXPORT COMPANY (AKA HEBEI ANIMAL BY-PRODUCTS IMPORT & EXPORT CORP.) (A-570-501-002). ENTRIES OF MERCHANDISE EXPORTED BY HEBEI ANIMAL BYPRODUCTS IMPORT/EXPORT CORP. (A-570-501-002) FOR THE PERIOD 02/01/1997 THROUGH 01/31/1998 WERE LIQUIDATED PURSUANT TO MESSAGE NUMBER 0313202 DATED 11/08/2000.

8. FOR PERIOD 02/01/1998 THROUGH 01/31/1999, LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT HUNAN PROVINCIAL NATIVE PRODUCE AND ANIMAL BYPRODUCTS (A-570-501-003). ENTRIES OF MERCHANDISE EXPORTED BY HUNAN PROVINCIAL NATIVE PRODUCE AND ANIMAL BYPRODUCTS FOR THE PERIOD 02/01/1998 THROUGH 01/31/1999 WERE LIQUIDATED PURSUANT TO MESSAGE NUMBER 0340205 DATED 12/05/2000.

9. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

10. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

11. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION.

CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING

DUTIES DUE.

12. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT DOUGLAS KIRBY AT 202-482- 3782, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

13. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party